

09-8-04

RCE/1743  
\$  
IFW

PTO/SB/30 (5/2000)

Approved for use through xx/xx/xxxx. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	10/045,937
Filing Date	10/19/2001
First Named Inventor	David J. Beebe et al.
Group Art Unit	1743
Examiner Name	Lyle Alexander
Attorney Docket Number	282.020

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RTE practice.

**1. Submission required under 37 C.F.R. § 1.114**

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on July 29, 2004  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. Other \_\_\_\_\_
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 05-1170
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Three Month Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) (small entity)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$385.00 enclosed.
- c. Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

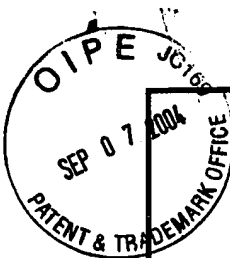
Name (Print/ Type)	PETER C. STOMMA	Registration No. (Attorney/Agent)	36,020
Signature		Date	September 7, 2004

**CERTIFICATE OF EXPRESS MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as EXPRESS MAIL - POST OFFICE ADDRESSEE, in an envelope addressed to: Mail Stop - Box RCE - Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22312-1450 on the 7<sup>th</sup> day of September, 2004. The Express Label is EV339661515US.

Name (Print/ Type)	Christine Kierzek	Date	September 7, 2004
Signature		Date	September 7, 2004

Page 1 of 1



<b>FEE TRANSMITTAL</b> <b>for FY 2004</b> <small>Effective 01/01/2003. Patent fees are subject to annual revision.</small>		<b>Complete if Known</b>	
		Application Number	10/045,937
		Filing Date	October 19, 2001
		First Named Inventor	David J. Beebe et al.
		Examiner Name	Lyle Alexander
		Art Unit	1743
<input checked="" type="checkbox"/> Applicant Claims small entity status. See 37 CFR 1.27		Attorney Docket No.	282.020
<b>TOTAL AMOUNT OF PAYMENT</b>		<b>\$439.00</b>	

<b>METHOD OF PAYMENT (check all that apply)</b>		<b>FEE CALCULATION (continued)</b>																																					
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		<b>3. ADDITIONAL FEES</b>																																					
<input checked="" type="checkbox"/> Applicant Claims Small Entity Status. See 37 CFR 1.27																																							
<input checked="" type="checkbox"/> Deposit Account																																							
Deposit Account Number: 50-1170																																							
Deposit Account Name: Boyle Fredrickson Newholm Stein & Gratz S.C.																																							
<b>The Director is authorized to: (check all that apply)</b>																																							
<input type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Credit any overpayments																																							
<input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application																																							
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.																																							
<b>FEE CALCULATION</b>																																							
<b>1. BASIC FILING FEE</b>																																							
<table border="1"><thead><tr><th>Large Entity Fee Code</th><th>Large Entity Fee (\$)</th><th>Small Entity Fee Code</th><th>Small Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1001</td><td>770</td><td>2001</td><td>385</td><td>Utility filing fee</td><td></td></tr><tr><td>1002</td><td>340</td><td>2002</td><td>170</td><td>Design filing fee</td><td></td></tr><tr><td>1003</td><td>530</td><td>2003</td><td>265</td><td>Plant filing fee</td><td></td></tr><tr><td>1004</td><td>770</td><td>2004</td><td>385</td><td>Reissue filing fee</td><td></td></tr><tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr></tbody></table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	1001	770	2001	385	Utility filing fee		1002	340	2002	170	Design filing fee		1003	530	2003	265	Plant filing fee		1004	770	2004	385	Reissue filing fee		1005	160	2005	80	Provisional filing fee			
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid																																		
1001	770	2001	385	Utility filing fee																																			
1002	340	2002	170	Design filing fee																																			
1003	530	2003	265	Plant filing fee																																			
1004	770	2004	385	Reissue filing fee																																			
1005	160	2005	80	Provisional filing fee																																			
<b>SUBTOTAL (1)</b>																																							
<b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b>																																							
<table border="1"><thead><tr><th>Total Claims</th><th>Extra Claims</th><th>Fee from below</th><th>Fee Paid</th></tr></thead><tbody><tr><td>26</td><td>20** = 6</td><td>9</td><td>54</td></tr><tr><td>3</td><td>3** = 0</td><td>43</td><td>0</td></tr></tbody></table>		Total Claims	Extra Claims	Fee from below	Fee Paid	26	20** = 6	9	54	3	3** = 0	43	0																										
Total Claims	Extra Claims	Fee from below	Fee Paid																																				
26	20** = 6	9	54																																				
3	3** = 0	43	0																																				
<b>Multiple Dependent</b>																																							
<table border="1"><thead><tr><th>Large Entity Fee Code</th><th>Large Entity Fee (\$)</th><th>Small Entity Fee Code</th><th>Small Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td><td></td></tr><tr><td>1201</td><td>86</td><td>2201</td><td>43</td><td>Independent claims in excess of 3</td><td></td></tr><tr><td>1203</td><td>290</td><td>2203</td><td>145</td><td>Multiple dependent claim, if not paid</td><td></td></tr><tr><td>1204</td><td>86</td><td>2204</td><td>43</td><td>**Reissue independent claims over original patent</td><td></td></tr><tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td><td></td></tr></tbody></table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	1202	18	2202	9	Claims in excess of 20		1201	86	2201	43	Independent claims in excess of 3		1203	290	2203	145	Multiple dependent claim, if not paid		1204	86	2204	43	**Reissue independent claims over original patent		1205	18	2205	9	**Reissue claims in excess of 20 and over original patent			
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid																																		
1202	18	2202	9	Claims in excess of 20																																			
1201	86	2201	43	Independent claims in excess of 3																																			
1203	290	2203	145	Multiple dependent claim, if not paid																																			
1204	86	2204	43	**Reissue independent claims over original patent																																			
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent																																			
<b>SUBTOTAL (2)</b>																																							
<b>\$54</b>																																							
<small>** or number previously paid, if greater; For Reissues, see above</small>																																							
		<b>Other fee (specify)</b>																																					
		<b>*Reduced by Basic Filing Fee Paid</b>																																					
		<b>SUBTOTAL (3)</b>																																					
		<b>\$385.00</b>																																					

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	Peter C. Stomma	Registration No. (Attorney/Agent)	36,020
Signature		Telephone	414.225.9755
		Date	9/7/04

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.